

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LINCOLN GENERAL INSURANCE  
COMPANY

Plaintiff

v.

A&G COMMERCIAL TRUCKING,  
INC. and GKD MANAGEMENT, LP

Defendants

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CIVIL ACTION NO. 1:CV-12-1534

(CHIEF JUDGE KANE)  
(Magistrate Judge Schwab)

**ORDER**

Before the Court in the captioned action is a May 23, 2013 report of the Magistrate Judge. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Schwab.
- 2) The Defendants' Motion to Dismiss (Doc. No. 6) is **DENIED**.
- 3) A Case Management Conference will be held on July 17, 2013, at 2:00 p.m. A revised Joint Case Management Plan shall be due on or before July 12, 2013. Plaintiff's counsel shall initiate the conference call. The Court telephone number is 717-221-3990.

s/ Yvette Kane  
YVETTE KANE, Chief Judge  
United States District Court  
Middle District of Pennsylvania

Dated: June 11, 2013